

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

REGINALD PICKETT,

Plaintiff,

v.

PAUL R. VAN GRUNSVEN, KAREN  
KOTECKI, and CARMEN PICKETT,

Defendants.

Case No. 18-CV-746-JPS

**ORDER**

Plaintiff filed this action on May 15, 2018. (Docket #1). Because Plaintiff sought leave to proceed without prepayment of the filing fee, his complaint was subject to screening. *See* (Docket #2); 28 U.S.C. § 1915(e)(2). The next day, Magistrate Judge William E. Duffin issued a report and recommendation on the matter of screening Plaintiff's complaint. (Docket #4). Magistrate Duffin concluded that Plaintiff stated no viable claims for relief and that this Court lacked jurisdiction over his claims. *Id.*

In his recommendation, Magistrate Duffin informed Plaintiff that, pursuant to 28 U.S.C. § 636(b)(1)(B) and (C), Federal Rule of Civil Procedure 72(b)(2), and General Local Rule 72(c), he had fourteen days to file an objection to the recommendation. (Docket #4 at 6). That deadline has passed and the Court has received no objection from Plaintiff.<sup>1</sup> Having received no

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<sup>1</sup>Plaintiff has filed three documents since the issuance of the recommendation, but none are an objection to the recommendation. The first is a refusal to consent to magistrate judge jurisdiction, (Docket #5), but this has no bearing on the viability of Magistrate Duffin's recommendation. The second filing is a motion to stay a state court order pending an appeal. (Docket #6). The final document is rather incoherent but appears to also relate to a state court appeal.

objection thereto, and in full agreement with Magistrate Duffin's analysis and conclusions therein, the Court will adopt the recommendation. Because jurisdiction is a threshold inquiry, the Court will dismiss on that basis. The dismissal will, therefore, be without prejudice.

Accordingly,

**IT IS ORDERED** that Magistrate Judge William E. Duffin's May 16, 2018 Report and Recommendation (Docket #4) be and the same is hereby **ADOPTED**;

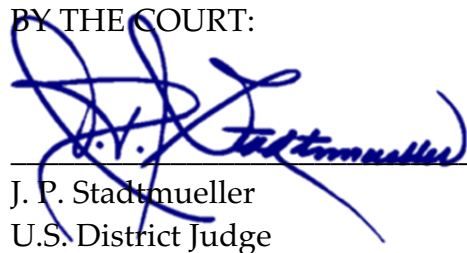
**IT IS FURTHER ORDERED** that Plaintiff's motions to stay (Docket #6) and to dismiss (Docket #7) be and the same are hereby **DENIED as moot**; and

**IT IS FURTHER ORDERED** that this action be and the same is hereby **DISMISSED without prejudice**.

The Clerk of the Court is directed to enter judgment accordingly.

Dated at Milwaukee, Wisconsin, this 31st day of May, 2018.

BY THE COURT:



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J. P. Stadtmueller  
U.S. District Judge

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(Docket #7). Because the Court lacks jurisdiction over this action, both motions must be denied as moot.